

Attorney's Docket No.: 99P7519US #17

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By: 

Jeanette L. Tapia

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : George E. Carter
Serial No. : 09/277,298
Filed : March 26, 1999
Title : METHODS AND APPARATUS FOR KERNEL MODE ENCRYPTION OF
COMPUTER TELEPHONY

Art Unit : 2131
Examiner : Arani, Taghi T.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY RECORD

Dear Sir:

Claims 1-11, 13, 14, and 16-31 were pending.

Claims 13, 14 and 16-31 have been allowed.

In the final Office action dated January 28, 2004, the Examiner rejected claims 1-11 and 32-35 under 35 U.S.C. § 103(a) over Knappe (U.S. 6,603,774) in view of Kavsan (U.S. 6,412,069).

On April 23, 2004, Edouard Garcia sent Examiner Arani an e-mail containing the following outline of talking points:

1. Claims 1-11 and 32-35 were rejected over Knappe (US 6,603,774) in view of Kavsan (US 6,412,069).
2. Knappe does not teach or suggest anything about cryptographic services. With regard to telephony applications, Knappe only teaches a system that uses gateways 16, 20 between traditional telephone handsets 14, 22 to convert audio

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signals into audio packets and audio packets back into audio signals (see col. 2, lines 41-51). Knappe does not teach or suggest anything about a telephony client on a computer that has a sound device.

3. Kavsan does not teach or suggest anything about telephony applications nor does Kavsan teach or suggest anything about sound devices. With regard to cryptographic services Kavsan only teaches placing a security enabled engine 14 between a respective application 12 and an associated one of an internet port 24, a disk drive 20, and a hard drive 22 (see the only FIG.).

4. Since neither Knappe nor Kavsan teaches or suggest anything about sound cards where is the teaching that would have led one of ordinary skill in the art to insert a security algorithm within the communication path between the first telephony client on the first computer and a sound device on the first computer, as recited in claim 1?

5. In addition, assuming for the purpose of argument only that a telephony client application is installed on the computer 6 shown in Kavsan's FIG. This telephony client application necessarily would interface between the internet port 24 and a sound device on the computer 6. What would have motivated one of ordinary skill in the art to have included an additional security enabled engine 14 between the telephony client application and the sound device? In fact, one of ordinary skill in the art would not have been motivated to include such a security enabled engine because he/she reasonably would have concluded that the security enabled engine 14 positioned between the telephony application and the internet port 24 would have been sufficient and that the sound device would have corresponded to the component 28, which interfaces with the telephony application through the unsecured engine 26.

6. Thus, no permissible combination of Knappe and Kavsan teaches or suggests anything about performing cryptographic operations between a telephony client and a sound device on the same computer.

7. In addition, even assuming that one skilled in the telephony art would have incorporated Kavsan's teaching into the design of a telephony system, such a person would have only inserted the security enabled engine between the telephony application and the internet port 24 (as shown in the FIG.) and not between the telephony application and a sound device. Therefore, Kavsan's teaching would have led one of ordinary skill in the art away from the invention recited in claims 1-11 and 32-35.

In a telephone conference on April 27, 2004, the Examiner and Mr. Garcia reviewed the talking points outlined above. At the conclusion of the telephone conference, the Examiner acknowledged to Mr. Garcia that claims 1-11 and 32-35 distinguished the combination of

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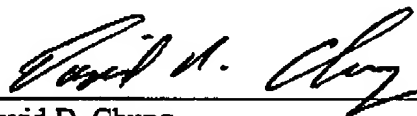
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Knappe and Kavsan. The Examiner also indicated that if a Request for Continued Examination (RCE) under 37 CFR § 1.114 were filed in the application, the Examiner would not reject claims 1-11 and 32-35 over the combination of Knappe and Kavsan, but rather the Examiner would conduct another search for prior art and either allow claims 1-11 and 32-35 or reject these claims on a prior art basis different from the combination of Knappe and Kavsan.

Charge any excess fees or apply any credits to Deposit Account No. 19-2179.

Respectfully submitted,

Date: 5 May 04



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